



North Carolina Department of Environment and Natural Resources
Division of Waste Management

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Director

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SOLID WASTE SECTION
April 27, 2011

Mr. Andrew Tinsley
Duke Energy Corporation
EC13K/ Post Office Box 1006
Charlotte, North Carolina 28201-1006

Subject: Operations Plan – Landfill Sequencing
Duke Energy Corporation – Allen Steam Station
Retired Ash Basin (RAB) Landfill, Permit No. 3612
Gaston County, DIN 13681

Dear Mr. Tinsley:

On April 26, 2011 I received the letter entitled;

- *Cell 2 Access Request, Retired Ash Basin (RAB) Ash Landfill, Duke Energy – Allen Steam Station, Belmont, North Carolina, S&ME Project No. 1356-10-009A, Task 05, S&ME Engineering License No. F-0176. Prepared by S&ME. Prepared for Duke Energy. April 26, 2011. DIN 13670.*

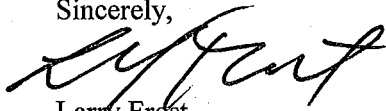
The letter concerns language found in the approved Operations Plan for Duke Energy's Allen RAB Landfill, specifically **Section 2.4 Landfill Sequencing**, which states;

- *Once final grades are achieved in Cell 1, waste placement shall begin in Cell 2 following the same general format as Cell 1, where a 10-foot lift is placed in Subcell 2A, then the rain cover is removed from Subcell 2B; then a 10-foot lift is placed into Subcell 2B. Waste placement in Cell 2 shall continue in 10-foot lifts until Phase 1 final grades are achieved. Final grades for Cell 2 shall piggyback onto Cell 1, as shown on Figure 5, for the completion of Phase 1.*

The letter prepared for Duke Energy contends that the description contained in the approved Plan was intended to provide general filling guidance only. The Division agrees that the intent of the approved Plan was as guidance in this specific case, and approves the request to move into Cell 2 prior to achieving final grade in Cell 1. Furthermore, the Division requests that the Landfill continue to operate in accordance with the approved Plan and the approval to move into Cell 2, as found in your letter. The Landfill should operate in this manner until the current permit is either amended or modified. Prior to the next permit action, amendment or modification, Duke Energy will be expected to submit a revised Plan for Division approval. The Plan should contain at a minimum a revision to the language referenced by this letter, specifically Section 2.4, which clearly expresses Landfill Sequencing.

Should you have any questions regarding this matter contact me at (828) 296-4704 or larry.frost@ncdenr.gov.

Sincerely,



Larry Frost
Environmental Engineer

cc: Don Scruggs – Duke Energy/Allen Steam Plant
Charles Gerstell – SWS/MRO
Ken Daly – S&ME